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Fergal F Davis, The History and Development of Special Criminal Court, 1922-2005

Citation for published version:

Gretton, G 2008, 'Fergal F Davis, *The History and Development of Special Criminal Court, 1922-2005*', *Edinburgh Law Review*, vol. 12, no. 1, pp. 162-63. <https://doi.org/10.3366/E1364980908270228>

Digital Object Identifier (DOI):

[10.3366/E1364980908270228](https://doi.org/10.3366/E1364980908270228)

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Publisher's PDF, also known as Version of record

Published In:

Edinburgh Law Review

Publisher Rights Statement:

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concerned with modern attempts at the harmonisation of private law in western Europe and the role which legal history, especially Roman law, may play in this process. Section 2 deals with the origins of European private law. It discusses the fate of Roman law after the disintegration of the western Empire as well as the achievements of Justinian in the east. Section 3 deals with early medieval law, section 4 with Byzantine legal science and section 5 with the reception of Roman law in Italy prior to unification. Chapters 3-6 focus on the formation of the nation state in early modern Europe and the historical development of private law in western Europe. Topics such as the Holy Roman Empire (chapter 3), Germany (chapter 4), Austria (chapter 5) and Switzerland (chapter 6) provide a brief overview of the most important jurists, legal-historical movements and codifications in these jurisdictions.

Chapter 7 is the most interesting part of the book. In this extensive chapter, Professor Hamza sets out the influence which the historical development of private law in the German-speaking countries mentioned in chapters 3-6 had on the development of private law in central, southern and eastern Europe. From Hungary to Azerbaijan, each jurisdiction is examined and the main historical events which shaped private law are mentioned. Key jurists and important codifications are included in each section. Furthermore, the changing map of western Europe is handled in a sensitive manner (e.g. with separate sections on Imperial Russia, the Soviet Union, and Russia since 1991).

Although this book contains much which can be found in other works, its account of the impact of private law in German-speaking countries on the development of private law in central, south and eastern Europe is of great value. The inclusion of a survey of the most important recent literature at the start of each section makes it an invaluable tool for students and academics alike. The lack of a conclusion setting the development of private law in central, southern and eastern Europe in context is, however, a shortcoming. As it now stands, the book ends rather abruptly after the entry on Azerbaijan, and the reader is left with a sense that a contextual conclusion might have rounded the discussion off.

Unfortunately, there seem to be no plans to translate this book into English, even though it would undoubtedly find a wide readership in the English-speaking world. It would open up Professor Hamza's scholarship to a broader audience, as, for example, was done for Manlio Bellomo's polemic *L'Europa del Diritto Comune* by Lydia Cochrane's 1995 translation (*The Common Legal Past of Europe*).

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EdinLR Vol 12 pp 162-163

Fergal F Davis, THE HISTORY AND DEVELOPMENT OF THE SPECIAL CRIMINAL COURT, 1922-2005

Dublin: Four Courts Press (<http://www.fourcourtspress.ie>), 2007. 219 pp. ISBN 9781846820137. €60.

Internment and no-jury courts as responses to IRA terrorism? We associate these with the Six Counties, or Northern Ireland, during "the Troubles". In fact both were copied from the Republic. The very first case ever heard by the European Court of Human Rights was on internment there: *Lawless v Ireland*. The Court held that IRA violence was such as to make internment an acceptable response. (The Irish courts had used "Ó Laighléis" as the spelling, but the Strasburg court preferred "Lawless". This indulgence in dry humour seems never to have been repeated.) There is today a large and growing literature about legal responses

to terrorism, especially within the framework of modern thinking about constitutionalism, human rights and the ideal of the *Rechtsstaat*. The Irish case is an interesting one, not least because Ireland is our neighbour. It remains to add that Davis has written a book whose scope is rather wider than the title indicates. It has much for those with a general interest in Irish history.

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